

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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EDDIE THOMAS,

Plaintiff,

Case No.: 3:23-cv-00131-ART-CLB

v.

ORDER

DR MARKS, *et al.*,

Defendants.

10 On March 24, 2023, pro se plaintiff Eddie Thomas, an inmate in the custody of the
11 Nevada Department of Corrections (“NDOC”), submitted a complaint under 42 U.S.C.
12 § 1983 and applied to proceed *in forma pauperis*. (ECF Nos. 1-1, 1). But the application
13 to proceed *in forma pauperis* is incomplete because Plaintiff did not include a financial
14 certificate or an inmate trust fund account statement for the previous six-month period.
15 Even if Plaintiff has not been at the NDOC facility for a full six-month period, Plaintiff must
16 still file a financial certificate and an inmate trust fund account statement for the dates he
17 has been at the facility.

18 The United States District Court for the District of Nevada must collect filing fees
19 from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights
20 action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28
21 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply
22 to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. LSR 1-1.

23 For an inmate to apply for *in forma pauperis* status, the inmate must submit **all**
24 **three** of the following documents to the Court: (1) a completed **Application to Proceed**
25 ***in Forma Pauperis* for Inmate**, which is pages 1–3 of the Court’s approved form, that is
26 properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**,
27 which is page 4 of the Court’s approved form, that is properly signed by both the inmate
28 and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund**

1 account statement for the previous six-month period. See 28 U.S.C. § 1915(a)(1)–
2 (2); Nev. Loc. R. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or
3 her obligation to pay the filing fee, it just means that the inmate can pay the fee in
4 installments. See 28 U.S.C. § 1915(b).

5 **IT IS THEREFORE ORDERED** that Plaintiff has **until April 28, 2023**, to either
6 pay the full \$402 filing fee or file a completed financial certificate that is signed both by
7 the inmate and the prison or jail official and a copy of the inmate's trust fund account
8 statement for the previous six-month period.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
11 to refile the case with the Court, under a new case number, when Plaintiff can file a
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 The Clerk of the Court is directed to send Plaintiff Eddie Thomas the approved
14 form application to proceed *in forma pauperis* for an inmate and instructions for the same
15 and retain the complaint (ECF No. 1-1) but not file it at this time.

16 **DATED:** March 30, 2023

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18 **UNITED STATES MAGISTRATE JUDGE**
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